

### **REMARKS**

Claims 1-10 are now pending in the application. Applicant respectfully submits that no new matter has been added as all amendments are supported by the specification, claims, and drawings as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **SPECIFICATION**

Applicant has amended the specification to more clearly point out the invention.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1-10 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

Applicant has amended Claims 1 and 6-7. Paragraph [0036] of the originally filed specification discloses a method for the control layer to overlay the caption on a digital image. It states that "[i]n view of the overlaid caption mingling with the service images in the invention, the Chinese captions (including meeting places in Chinese) can be displayed to overseas terminals." Therefore, Applicant submits that the limitations of "obtaining a mingled image with the caption" in Claim 1 of the subject application are supported by the specification originally filed.

Moreover, Paragraph [0037] discloses that "[w]hen the remote side is selected, the caption images are sent to the encoder; the encoder overlays the caption images to

the service images, and encodes the mingled images with the caption images, and then sends to the remote side so that the captions can be displayed remotely."

Therefore, Applicant submits that the limitations of "encoding the mingled image, and transmitting an encoded mingled image" of Claim 1 are supported by the specification originally filed.

In view of the foregoing, Applicant submits that Claim 1 is supported by the specification originally filed. Likewise, Applicant further submits that Claims 6-7 are supported by the specification originally filed.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mortensen et al. (U.S. Pat. No. 5,563,804) in view of Plog (U.S. Pat. No. 6,414,724). The rejection is respectfully traversed.

Mortensen at best appears to disclose that the video from video formatter 3, the closed captioning data from CC formatter 13 (Fig 3) are sent to the users via path of the network 6 and conference manager 4. Thus, the caption and video are transmitted via a same physical network. In addition, as shown in Fig. 3 of Mortensen, after receiving signals from a remote side, the video signals and the caption signal are separated at the VIDEO SIGNAL TUNER and are respectively transmitted to the VIDEO CAPTURE INTERFACE and the CLOSED CAPTION DECODER. In other words, the video and caption are separated and transmitted separately at the receiving side as two objects, rather than mingled in a one image.

Claim 1 recites, among other things, "providing a caption overlaying module, overlaying the caption image on a digital service image, obtaining a mingled image with the caption, encoding the mingled image, and transmitting an encoded mingled image." Claim 1 is directed to a mingled image that is obtained by overlaying the caption image on the digital service image. A person having ordinary skill in the art would appreciate that the encoded mingled image is transmitted as one object, that is, the encoded mingled image is transmitted using one code flow, which is different from Mortensen.

Subsequently, at the receiving side, the encoded mingled image is decoded by a decoder as one object, and then the digital service image with the caption image can be displayed. Applicant notes that, at the receiving side, the caption image cannot be separated from the digital service image after decoding without additional data processing, if possible at all. The caption image is shown with the digital service image as one object to the user. It is unnecessary for the decoder at the receiving side to distinguish and separate the caption image mingled and carried in the digital service image. The decoder at the receiving side does not need to perform any additional work.

Plog at best appears to discuss how to use a circuit to generate the actual color display for a graphics display with a foreground and a background. Plog only discloses a very specific method for displaying transparent background from a microcosmic point of view. Applicant submits that Plog fails to cure the deficiency of Mortensen.

In view of the foregoing, Applicant submits that Claim 1 and its dependent claims 2-6 define over the art cited by the Examiner. Claim 7 and its dependent claims 8-10

define over the art cited by the Examiner for one or more of the reasons set forth above regarding Claim 1.

### **CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance. It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0750, under Order No. 9896-000036/US/CO from which the undersigned is authorized to draw.

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Respectfully submitted,

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